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10/007,370	02/19/2002	Howard T. Marano	2001P10727 US01	9274

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EXAMINER

VAN DOREN, BETH

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 12/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicati n No.

10/007,370

Applicant(s)

MARANO, HOWARD T.

Examiner

Beth Van Doren

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 1.5, 4, 7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. The following is a non-final, first office action on the merits. Claims 1-19 are pending.

Specification

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

3. The abstract of the disclosure is objected to because it exceeds the maximum word length. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Macrae et al. (U.S. 5,826,237).

5. As per claim 1, Macrae et al. teaches a method for assigning an identifier to at least one of a plurality of displayable task schedules associated with a corresponding plurality of different entries, the identifier representing a task requiring action by an entity, comprising:

- a. initiating display of at least one interface menu supporting user entry of decision

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information for assigning a task representative identifier to a task schedule associated with a particular entity (See figures 1, 4, 12, 19, and 31-33, and column 2, lines 35-49 and 59-67, column 3, lines 5-15, 20-26, and 40-47, column 6, lines 17-22 and 45-67, column 7, lines 15-25, 30-35, and 53-67, column 17, lines 24-30 and 55-67, and column 18, lines 15-31, wherein a display of a menu is initiated, the menu allowing a user to enter decision information that assigns a task character information to a task schedule associated with a user);

b. receiving decision information entered via the at least one interface menu (See at least figures 1, 4, 12, 19, and 31-33, and column 2, lines 35-49 and 59-67, and column 6, lines 45-65, wherein decision information is received via the interface. See also figure 14 and 15 and column 10, lines 28-35 and 44-57); and

c. applying the received decision information in assigning the task representative identifier to the task schedule associated with the particular entity in response to a predetermined event (See at least figures 14, 15, 12, 19, and 31-33, column 2, lines 35-49 and 59-67, column 6, lines 45-65, and column 10, lines 28-35 and 44-57, wherein decision information is applied to assign representative identification information to the task schedule associated with the user in response to a predetermined event (i.e. an order is performed and decision information is received from a user and applied to the task schedule)).

6. As per claim 2, Macrae et al discloses a method wherein the step of initiating display of at least one interface menu includes initiating display of menu elements prompting a user to identify at least one of (a) the predetermined event triggering application of the decision information in assigning the task representative identifier to the task schedule, (b) a source of decision information, (c) decision information comprising a procedure for processing data

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associated with a task to determine a task schedule for listing the task representative identifier (See at least figures 14, 15, 12, 19, and 31-33, column 2, lines 35-49 and 59-67, column 6, lines 45-65, and column 10, lines 28-35 and 44-57, wherein a processor has a programmed procedure it follows after received the decision information which is the manner in which the data associated with the task is processed. The information determines the schedule by branching based on the task character information. The task representative identifier is listed in the schedule display).

7. As per claim 3, Macrae et al. discloses a method wherein the decision information comprises a logical procedure for processing data associated with a task to identify a task schedule for incorporating the task representative identifier (See at least figures 14, 15, 12, 19, and 31-33, column 2, lines 35-49 and 59-67, column 6, lines 45-65, and column 10, lines 28-35 and 44-57, wherein a processor has a programmed procedure it follows after received the decision information which is the manner in which the data associated with the task is processed. The information determines the schedule by branching based on the task character information).

8. As per claim 4, Macrae et al. teaches a method wherein the data associated with a task comprises at least one of (a) a medical procedure identifier for a scheduled procedure, (b) a time and date of performance of a medical procedure, (c) patient medical record information, (d) location of performance of a medical procedure, (e) patient type identifier, (f) patient physical characteristics (See at least figures 14, 15, 12, 19, and 31-33, column 2, lines 35-49 and 59-67, column 6, lines 45-65, and column 10, lines 28-35 and 44-57, wherein the data includes a medical procedure identifier, a time and date of performance, patient medical information, etc.).

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9. As per claim 5, Macrae et al. discloses a method wherein the entity comprises at least one of (a) a user, (b) a category of users, (c) a role of a user, and (d) a medical device or system (See figures 1, 4, 12, 19, and 31-33, and column 2, lines 35-49 and 59-67, column 3, lines 5-15, 20-26, and 40-47, column 6, lines 17-22 and 45-67, column 7, lines 15-25, 30-35, and 53-67, column 17, lines 24-30 and 55-67, and column 18, lines 15-31, which includes a user).

10. As per claim 6, Macrae et al. discloses a method according to claim 1, wherein:

a. decision information identifies the predetermined event (See at least figures 14, 15, 12, 19, and 31-33, column 2, lines 35-49 and 59-67, column 6, lines 45-65, and column 10, lines 28-35 and 44-57, wherein the decision information includes information about the predetermined event); and

b. the predetermined event corresponds to at least one of (a) patient admission, (b) beginning of a medical procedure, (c) end of a medical procedure, (d) a user defined event based on information acquired (See at least figures 14, 15, 12, 19, and 31-33, column 2, lines 35-49 and 59-67, column 6, lines 45-65, and column 10, lines 28-35 and 44-57, wherein the predetermined event corresponds to at least the beginning/end of a medical procedure).

11. As per claim 7, Macrae et al. discloses a method further including applying the received decision information in prioritizing a plurality of task representative identifiers associated with a particular entity in response to occurrence of a triggering event (See column 7, lines 45-65, column 9, lines 55-65, column 19, lines 25-45, and column 22, lines 50-67, wherein the decision information is applied and the scheduled tasks are executed in order based on the priority of the orderings of the tasks. Based on trigger events and the task representative identifiers, the tasks can be reordered).

12. As per claim 8, Macrae et al. teaches a method for assigning an identifier to at least one of a plurality of task schedules associated with a corresponding plurality of different entities, the identifier representing a task requiring action by an entity, comprising:

a. initiating display of at least one interface menu supporting user entry of decision information for assigning a task representative identifier to a task schedule associated with a particular entity and accessible by the particular entity (See figures 1, 4, 12, 19, and 31-33, and column 2, lines 35-49 and 59-67, column 3, lines 5-15, 20-26, and 40-47, column 6, lines 17-22 and 45-67, column 7, lines 15-25, 30-35, and 53-67, column 17, lines 24-30 and 55-67, and column 18, lines 15-31, wherein a display of a menu is initiated, the menu allowing a user to enter and access decision information that assigns a task character information to a task schedule associated with a user), the decision information including:

i. a procedure for processing data associated with a task to identify a task schedule for incorporating the task representative identifier (See at least figures 14, 15, 12, 19, and 31-33, column 2, lines 35-49 and 59-67, column 6, lines 45-65, and column 10, lines 28-35 and 44-57, wherein a processor has a programmed procedure it follows after received the decision information which is the manner in which the data associated with the task is processed. The information determines the schedule by branching based on the task character information), and

ii. an event for triggering application of the procedure in allocating the task representative identifier to the identified task schedule (See at least figures 14, 15, 12, 19, and 31-33, column 2, lines 35-49 and 59-67, column 6, lines 45-65, and column 10, lines 28-35 and 44-57, wherein a processor has a programmed procedure it follows after

receiving data, the receipt of the data being a triggering event for the workflow. The procedure applies the data to the task schedule and causes branching based on the task character information);

b. receiving decision information entered via the at least one interface menu (See at least figures 1, 4, 12, 19, and 31-33, and column 2, lines 35-49 and 59-67, and column 6, lines 45-65, wherein decision information is received via the interface. See also figure 14 and 15 and column 10, lines 28-35 and 44-57); and

c. applying the received decision information in assigning the task representative identifier to the task schedule associated with the particular entity in response to occurrence of the triggering event (See at least figures 14, 15, 12, 19, and 31-33, column 2, lines 35-49 and 59-67, column 6, lines 45-65, and column 10, lines 28-35 and 44-57, wherein decision information is applied to assign representative identification information to the task schedule associated with the user in response to a predetermined event (i.e. an order is performed and decision information is received from a user and applied to the task schedule)).

13. As per claim 9, Macrae et al. teaches a method wherein the data associated with a task comprises at least one of (a) a medical procedure identifier for a scheduled procedure, (b) a time and date of performance of a medical procedure, (c) patient medical record information, (d) location of performance of a medical procedure, (e) patient type identifier, (f) patient physical characteristics (See at least figures 14, 15, 12, 19, and 31-33, column 2, lines 35-49 and 59-67, column 6, lines 45-65, and column 10, lines 28-35 and 44-57, wherein the data includes a medical procedure identifier, a time and date of performance, patient medical information, etc.).

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14. As per claim 10, Macrae et al. discloses a method wherein the triggering event corresponds to at least one of (a) patient admission, (b) beginning of a medical procedure, (c) end of a medical procedure, (d) a user defined event based on information acquired (See at least figures 14, 15, 12, 19, and 31-33, column 2, lines 35-49 and 59-67, column 6, lines 45-65, and column 10, lines 28-35 and 44-57, wherein the predetermined event corresponds to at least the beginning/end of a medical procedure).

15. As per claim 11, Macrae et al. discloses a method further including acquiring the data associated with a task (See at least figures 14, 15, 12, 19, and 31-33, column 2, lines 35-49 and 59-67, column 6, lines 45-65, and column 10, lines 28-35 and 44-57, wherein data associated with the task is acquired and processed).

16. As per claim 12, Macrae et al. teaches a method wherein:

- a. the procedure conditions allocation of the task to the task schedule associated with the particular entity upon coincidence of a plurality of occurrences (See figure 1 and column 7, lines 43-62, wherein the chances of the occurrences are used in the schedule); and
- b. further including acquiring data to identify the coincidence of the plurality of occurrences (See figure 1 and column 7, lines 43-62).

17. As per claim 13, Macrae et al. discloses a method wherein:

- a. the triggering event is conditioned upon coincidence of a plurality of occurrences (See figure 1 and column 7, lines 43-62, wherein the chances of the occurrences are used in the schedule. The receipt of the data is a triggering event for the workflow and the

branches are conditioned using the chance of occurrence. The procedure applies the data to the task schedule and causes branching based on the task character information); and

b. further including acquiring data to identify the coincidence of the plurality of circumstances (See at least figure 1 and column 7, lines 43-62).

18. As per claim 14, Macrae et al. discloses a method further including applying the received decision information in removing a task representative identifier from the task schedule associated with the particular entity in response to occurrence of a triggering event (See at least figures 14, 15, 12, 19, and 31-33, column 2, lines 35-49 and 59-67, column 6, lines 45-65, and column 10, lines 28-35 and 44-57, wherein a processor has a programmed procedure it follows after receiving data, the receipt of the data being a triggering event for the workflow. The procedure applies the data to the task schedule and causes branching based on the task character information. The task representative identifiers associated with the not chosen branch are removed from the schedule).

19. As per claim 15, Macrae et al. teaches a method for providing a user interface for assigning an identifier to at least one of a plurality of displayable task schedules associated with a corresponding plurality of different entities, the identifier representing a task requiring action by an entity, comprising:

a. in response to a user command,

i. initiating display of at least one interface menu supporting user entry of decision information for assigning a task representative identifier to a task schedule associated with a particular entity (See figures 1, 4, 12, 19, and 31-33, and column 2, lines 35-49 and 59-67, column 3, lines 5-15, 20-26, and 40-47, column 6, lines 17-22 and

45-67, column 7, lines 15-25, 30-35, and 53-67, column 17, lines 24-30 and 55-67, and column 18, lines 15-31, wherein a display of a menu is initiated, the menu allowing a user to enter decision information that assigns a task character information to a task schedule associated with a user); and

ii. initiating display of an updated task schedule associated with the particular entry, the updated task schedule being generated in response to applying received decision information in assigning the task representative identifier to the task schedule associated with the particular entity in response to occurrence of a predetermined event (See column 7, lines 45-65, column 9, lines 55-65, column 19, lines 25-45, and column 22, lines 50-67, wherein the decision information is applied and the scheduled tasks are executed. Based on received decision information input by the user, the schedule can be updated. The new generated schedule, containing the task representative identifier, etc. is displayed updated with the merging, backing up, etc.)

20. As per claim 16, Macrae et al. discloses a method for providing a user interface supporting assigning an identifier to at least one of a plurality of task schedules associated with a corresponding plurality of different entities, the identifier representing a task requiring action by an entity, comprising:

a. in response to a user a command,

i. initiating display of at least one interface menu supporting user entry of decision information for assigning a task representative identifier to a task schedule associated with a particular entity and accessible by the particular entity (See figures 1, 4, 12, 19, and 31-33, and column 2, lines 35-49 and 59-67, column 3, lines 5-15, 20-26, and 40-47,

column 6, lines 17-22 and 45-67, column 7, lines 15-25, 30-35, and 53-67, column 17, lines 24-30 and 55-67, and column 18, lines 15-31, wherein a display of a menu is initiated, the menu allowing a user to enter decision information that assigns a task character information to a task schedule associated with a user), the decision information including,

ii. a procedure for processing data associated with a task to identify a task schedule for incorporating the task representative identifier (See at least figures 14, 15, 12, 19, and 31-33, column 2, lines 35-49 and 59-67, column 6, lines 45-65, and column 10, lines 28-35 and 44-57, wherein a processor has a programmed procedure it follows after received the decision information which is the manner in which the data associated with the task is processed. The information determines the schedule by branching based on the task character information), and

iii. an event for triggering application of the procedure in allocating the task representative identifier to the identified task schedule (See at least figures 14, 15, 12, 19, and 31-33, column 2, lines 35-49 and 59-67, column 6, lines 45-65, and column 10, lines 28-35 and 44-57, wherein a processor has a programmed procedure it follows after receiving data, the receipt of the data being a triggering event for the workflow. The procedure applies the data to the task schedule and causes branching based on the task character information); and

b. initiating display of an updated task schedule associated with the particular entity, the updated task schedule being generated in response to applying received decision information in assigning the task representative identifier to the task schedule associated

with the particular entity in response to occurrence of the triggering event (See at least column 7, lines 45-65, column 9, lines 55-65, column 19, lines 25-45, and column 22, lines 50-67, wherein the decision information is applied and the scheduled tasks are executed. Based on received decision information input by the user, a triggering event occurs and the schedule can be updated).

21. As per claim 17, Macrae et al. teaches a method for assigning an identifier to at least one of a plurality of task schedules associated with a corresponding plurality of different entities, the identifier representing a task requiring action by an entity, comprising:

a. initiating display of at least one interface menu supporting user entry of decision information for selectively assigning a task representative identifier to at least one of a plurality of task schedules associated with a corresponding plurality of different entities (See figures 1, 4, 12, 19, and 31-33, and column 2, lines 35-49 and 59-67, column 3, lines 5-15, 20-26, and 40-47, column 6, lines 17-22 and 45-67, column 7, lines 15-25, 30-35, and 53-67, column 17, lines 24-30 and 55-67, and column 18, lines 15-31, wherein a display of a menu is initiated, the menu allowing a user to enter decision information that assigns a task character information to a task schedule associated with a user), the decision information comprising:

i. a procedure for processing data associated with a task to identify a task schedule for incorporating the task representative identifier (See at least figures 14, 15, 12, 19, and 31-33, column 2, lines 35-49 and 59-67, column 6, lines 45-65, and column 10, lines 28-35 and 44-57, wherein a processor has a programmed procedure it follows after received the decision information which is the manner in which the data associated with the task is

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processed. The information determines the schedule by branching based on the task character information), and

ii. an event for triggering application of the procedure in allocating the task representative identifier to the identified task schedule (See at least figures 14, 15, 12, 19, and 31-33, column 2, lines 35-49 and 59-67, column 6, lines 45-65, and column 10, lines 28-35 and 44-57, wherein a processor has a programmed procedure it follows after receiving data, the receipt of the data being a triggering event for the workflow. The procedure applies the data to the task schedule and causes branching based on the task character information);

b. receiving decision information entered via the at least one interface menu (See at least figures 1, 4, 12, 19, and 31-33, and column 2, lines 35-49 and 59-67, and column 6, lines 45-65, wherein decision information is received via the interface. See also figure 14 and 15 and column 10, lines 28-35 and 44-57); and

c. applying the received decision information in selectively assigning the task representative identifier to the at least one of the plurality of task schedules associated with the corresponding plurality of different entities in response to occurrence of the triggering event (See at least figures 14, 15, 12, 19, and 31-33, column 2, lines 35-49 and 59-67, column 6, lines 45-65, and column 10, lines 28-35 and 44-57, wherein decision information is applied to assign representative identification information to the task schedule associated with the user in response to a predetermined event (i.e. an order is performed and decision information is received from a user and applied to the task schedule)).

22. As per claim 18, discloses a system for assigning an identifier to at least one of a plurality of displayable task schedules associated with a corresponding plurality of different entities, the identifier representing a task requiring action by an entity, comprising:

a. a display processor for initiating display of at least one interface menu supporting user entry of decision information for assigning a task representative identifier to a task schedule associated with a particular entity,

b. an interface processor for receiving decision information entered via the at least one interface menu; and

c. a decision processor for applying the received decision information in assigning the task representative identifier to the task schedule associated with the particular entity in response to a predetermined event.

23. As per claim 19, Macrae et al. discloses a computer program embodied within a computer readable medium using the method of claim 1 (See figures 1, 4, 12, 19, and 31-33, and column 2, lines 35-49 and 59-67, column 3, lines 5-15, 20-26, and 40-47, column 6, lines 17-22 and 45-67, column 7, lines 15-25, 30-35, and 53-67, column 17, lines 24-30 and 55-67, and column 18, lines 15-31).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Crane (U.S. 5,748,907) teaches a real-time management system for a medical facility that deals with patients and manages information.

Campbell et al. (U.S. 6,047,259) discloses an interactive software application with a user interface for inputting information and managing a medical exam that includes treatment protocols, etc.

Lesaint et al. (U.S. 6,578,005) teaches resource allocation with schedule changes.

Kruser et al. (U.S. 5,590,269) discloses an interface for resource assignments and updating.

Wilkins (U.S. 6,523,009) discloses an electronic patient record system that uses an interface to receive and manage information.

Schroeder et al. (U.S. 6,037,940) discloses a computer program and display (GUI) for scheduling in the medical field.

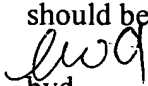
Sachdeva (U.S. 6,587,828) discloses an interface that displays a patient treatment plan and prompts for input regarding the patient.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beth Van Doren whose telephone number is (703) 305-3882.

The examiner can normally be reached on M-F, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (703) 305-9643. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-7687.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.


bvd
December 1, 2003


TARIQ R. HAFIZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600